



# Victorian Commission for Gambling and Liquor Regulation

## DECISION

In the matter of an application under section 3.4.17(1)(b) of the *Gambling Regulation Act 2003* by Hogan's Hotel Pty Ltd for the amendment of its venue operator's licence to vary the number of gaming machines at the approved premises at 92 High Street, Wallan from forty-five (45) to sixty-five (65) gaming machines.

**Commission:**

Mr Ross Kennedy, Chair  
Mr Des Powell AM, Commissioner

**Appearances:**

Ms Sarah Porritt, Counsel for the Applicant (instructed by BSP Lawyers)  
Mr John Rantino, Maddocks Solicitors, representing the Council  
Mr Lee Konstantinidis, Counsel Assisting the Commission

**Date of Hearing:**

2 April 2019 and 3 April 2019

**Date of Decision:**

9 May 2019

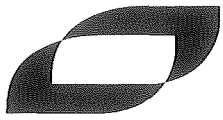
**Decision:**

The application is granted subject to the conditions set out in Appendix A.

**Signed:**

A handwritten signature in black ink, appearing to read 'R Kennedy'.

**Mr Ross Kennedy**  
Chair



## Appendix A

Conditions of the Decision of the Commission dated 9 May 2019 to vary the number of EGMs permitted in the approved premises, Hogan's Hotel, located at 92 High Street, Wallan from 45 to 65.

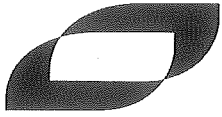
### **Conditions imposed under section 3.4.20(3) of the *Gambling Regulation Act 2003*.**

#### **1. The Works**

- (a) The Works (as defined in clause 1(b)) must be substantially completed to the satisfaction of the Victorian Commission for Gambling and Liquor Regulation (**the Commission**) before the commencement of the operation of any of the additional twenty (20) electronic gaming machines (**Additional EGMs**) at the approved premises.
  
- (b) For the purpose of this clause, '**the Works**' comprise:
  - i. The works in accordance with the plans contained at Figures 3 and 4 of the Social and Economic Impact Assessment prepared by Urbis, dated 20 December 2018 and submitted to the Commission; and
  - ii. The screening to the gaming room in accordance with the plans annexed to the proposed conditions which were provided to the Commission on behalf of the approved premises at the hearing on 3 April 2019.
  
- (c) The Works described above must be substantially completed at the approved premises to the satisfaction of the Commission before the commencement of the operation of any of the Additional EGMs.

#### **2. Community Contributions**

- (a) The Venue Operator will make cash contributions in the sum of \$100,000.00 (increased each year by the increase in CPI) (**the Contributions**) for each year during which any of the Additional EGMs operate at the approved premises for as long as any of the Additional EGMs are in operation at the approved premises.
  
- (b) The Contributions will be allocated each year only to not-for-profit community groups and sporting organisations which provide services and facilities primarily to residents



of the Shire of Mitchell.

- (c) If the Contributions are not allocated in full each year as required in 2(b), the operation of the Additional EGMs must cease immediately for so long as the Contributions (or part thereof) remain outstanding.

### 3. Gaming Room Hours

- (a) The gaming room may only operate during the following times:
- i. Sunday between 10am and 1am the following morning;
  - ii. Good Friday and Anzac Day between 12 noon and 1 am the following morning;  
and
  - iii. On any other day between 7am and 1am the following morning.

